

SEVENTEENTH DAY

(Monday, November 11)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Friday, November 8, 1957, was dispensed with and the Journal was approved.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 1, An Act providing for the Texas Water Planning Act of 1957; defining terms; creating the Texas Water Resources Planning Division within the State Board of Water Engineers; etc.; and declaring an emergency.

(With amendment.)

The House has concurred in Senate amendments to House Bill No. 15 by vote of 108 ayes, 3 noes.

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 2.

House has appointed the following Conference Committee on S. B. No. 2: Slack, Smith of Hays, Strickland, Zbranek, and Roberts.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Report of Standing Committee

Senator Weinert submitted the following report:

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to whom was referred S. C. R. No. 16, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senate Resolution 118

Senator Secrest offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate 40 members of the Hi-Li (Library) Club and the American Government Class of Rockdale High School, accompanied by their teacher and sponsor, Miss Nora Duncan and Mrs. Ida J. Marshall; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Secrest by unanimous consent presented the students, teacher and sponsor to the Members of the Senate.

Committee to Escort Dr. Marvin Vance to Joint Session

The President announced the appointment of the following pursuant

to the provisions of H. C. R. No. 37 to escort Dr. Marvin Vance to the Joint Session: Senators Herring, Secrest, Bracewell and Moffett.

Senate Bill 28 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 28, A bill to be entitled "An Act to expedite the building program of the Texas Employment Commission by reallocating funds heretofore appropriated and by placing responsibility for its building program on the Texas Employment Commission; providing for repeal of all laws and parts of laws in conflict herewith only insofar as they do conflict; and declaring an emergency."

The bill was read second time.

Senator Fly offered the following committee amendment to the bill:

Amend S. B. No. 28 by deleting Section 2 thereof and substituting the following language:

Sec. 2. Before asking for bids for the construction of the Texas Employment Commission State Headquarters office building, plans and specifications therefor shall be approved by the State Building Commission. It is further provided that approval of such plans and specifications by the Board of Control is not required.

The committee amendment was adopted.

Senator Fly offered the following amendment to the bill:

Amend Senate Bill 28, as amended, by deleting Section 1 thereof and substituting the following:

Section 1. All Funds heretofore appropriated to the Texas Employment Commission out of amounts credited to this State's account in the Federal Unemployment Trust Fund under Section 903 of the Social Security Act for the purchase of land and construction of buildings are hereby authorized to be used in the purchase of land and construction of a Texas Employment Commission State Headquarters office building, including parking space and facilities, built-in equipment and furnishings; and in addition thereto there is hereby appropriated from the same account, subject to the same conditions ap-

plicable to appropriations heretofore made therefrom, the additional sum of \$700,000 to accomplish such purposes.

The amendment was adopted.

On motion of Senator Fly and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 28 on Third Reading

Senator Fly moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Ashley	Lane
Bracewell	Lock
Bradshaw	Martin
Colson	Moffett
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts
Kazen	Rogers

Secrest
Smith
Weinert

Willis
Wood

Senate Bill 38 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 38, A bill to be entitled "An Act clarifying purposes for which monies may be expended by the Texas Department of Public Safety; providing additional purposes for which the monies appropriated by the provisions of House Bill 133, Acts of the 55th Legislature, Regular Session, 1957, Chapter 385, may be expended by the Texas Department of Public Safety and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 38 on Third Reading

Senator Fly moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 38 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Bradshaw
Ashley	Colson
Bracewell	Fly

Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Secrest
Lane	Smith
Lock	Weinert
Martin	Willis
Moffett	Wood
Moore	

Senate Concurrent Resolution 15 on Second Reading

The President laid before the Senate on its second reading the following resolution:

S. C. R. No. 15, Granting William F. Shipp et al. permission to sue the State of Texas.

The resolution was read and was adopted by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

House Concurrent Resolution 32 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 32, Granting George T. Abell et al. permission to sue the State of Texas.

The resolution was read and was adopted.

House Concurrent Resolution 29 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 29, Granting Southern

Kiddie Rides, Inc., permission to sue the State of Texas.

The resolution was read and was adopted.

Senate Bill 1 with House Amendments

Senator Parkhouse called S. B. No. 1 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Parkhouse moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Parkhouse, Fly, Weinert, Phillips and Smith.

Conference Committee on Senate Bill 2

The President announced the appointment of the following as a Conference Committee on the part of the Senate on S. B. No. 2: Senators Martin, Hazlewood, Krueger, Lock and Bradshaw.

House Concurrent Resolution 12 on Second Reading

On motion of Senator Secrest and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 12, Requesting Congress to propose amendment to Constitution relating to Electoral College.

The resolution was read and was adopted.

House Concurrent Resolution 3 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 3, Requesting President of the United States not to send Federal troops to Texas for occupation of public schools.

The resolution was read second time.

Senator Kazen offered the following amendment to the resolution:

Amend H. C. R. No. 3 by striking all above and below the Resolving Clauses and substituting in lieu thereof the following:

Whereas, The Governor of the State of Arkansas and the President of the United States recently have used State and Federal troops in Arkansas to quell disorders arising in connection with the question of integration at Central High School in Little Rock; and

Whereas, The Legislature of the State of Texas is of the opinion that the need for State or Federal troops will never arise in Texas because law enforcement agencies of this State are entirely capable of seeing that the laws are enforced and that no public disorder similar to that in Arkansas shall occur; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Legislature respectfully requests that the President of the United States and the Governor of Texas refrain from ever using Federal or State troops in Texas to enforce any court order seeking to enforce integration in the public schools; and be it further

Resolved, That the Governor be requested to transmit a copy of the foregoing resolution to the President of the United States, to the Governor and Legislature of each of the other States, to each of the Houses of Congress, to Texas Representatives and Senators in Congress, to the Supreme Court of the United States and to the Attorney General of the United States, for their information.

The amendment was read.

(President Pro Tempore in Chair.)

Question—Shall the amendment by Senator Kazen to H. C. R. No. 3 be adopted?

Motion to Recess

On motion of Senator Lane the Senate agreed to take recess at the conclusion of the Joint Session until 2:30 o'clock p.m. today.

Joint Session

(To hear Dr. Marvin Vance honoring veterans and Veterans' Day.)

The President Pro Tempore of the Senate and the Senators present proceeded to the Hall of the House of Representatives at 11:30 o'clock a.m.

The President Pro Tempore by invitation of the Speaker occupied a seat on the Speaker's Rostrum.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

Dr. Marvin Vance and party were announced by the Doorkeeper of the House.

Dr. Vance and party were escorted to the Speaker's Rostrum by Senators Herring, Secrest, Bracewell and Moffett on the part of the Senate and Representatives Story, Jones, Cowan, Yezak, Kothmann, Schwartz of Washington, Latimer, Atwell, Burkett, Cole, Elliott, Ellis, Sandahl and Forman on the part of the House.

The President Pro Tempore called the Senate to order and announced a quorum of the Senate present.

The Speaker requested the Members of the House to register and announced a quorum of the House present.

The Reverend Francis W. Sullivan, pastor of St. Mary's Cathedral of Austin delivered the invocation.

The Speaker of the House announced the purpose of the Joint Session and presented Dr. Marvin Vance, Pastor of the First Methodist Church of Austin to the Joint Session.

Dr. Vance then addressed the Joint Session.

At the conclusion of the address, Speaker Waggoner Carr presented an enrolled copy of the resolution inviting Dr. Vance to address the Joint Session to Dr. Vance.

Rabbi Harold Krantzler of Temple Beth Israel delivered the benediction.

Recess

The President Pro Tempore announced that the purpose of the Joint Session being concluded, the Senate at 12:05 o'clock p.m. would stand recessed until 2:30 o'clock p.m. today on motion previously adopted by the Senate.

After Recess

The President called the Senate to order at 2:30 o'clock p.m. today.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
Nov. 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 44, An Act relating to hunting of squirrel in Angelina and Trinity Counties, amending Acts of the Fifty-third Legislature, Regular Session, 1953, Chapter 398, as amended, and Acts of the Forty-ninth Legislature, Regular Session, 1945, Chapter 114, as amended, and declaring an emergency.

H. B. No. 45, An Act amending Chapter 385, Acts of the Fifty-fifth Legislature of Texas, Regular Session, 1957, to provide that that part of Item 12 of the biennial appropriation for the Rusk State Hospital which sets forth the purposes for which such appropriation may be used shall allow for payment of salaries for a chief supervisor and three (3) assistant supervisors in the maximum security unit for the criminally insane; and declaring an emergency.

H. B. No. 47, An Act authorizing the State to accept title to certain lands, known as the Hueco Tanks, in El Paso County; designating it as the "Hueco Tanks State Park"; providing for managing, controlling, beautifying, restoring and preserving same; and declaring an emergency.

H. C. R. No. 15, Memorializing Congress in the personal exemption from Federal Income Tax.

H. C. R. No. 20, Requesting the Legislative Council to make certain study.

H. C. R. No. 17, Directing the Board of Control not to accept bids for oil, gasoline and/or lubricant needs of the State from any person, firm, partnership, company or corporation which imports crude oil or products into the United States.

H. C. R. No. 23, Memorializing Congress relative to the adoption of Sen-

ate Bill No. 2014 and House of Representatives Bill No. 7574.

H. C. R. No. 26, Authorizing the Governing Board of Texas College of Arts and Industries to accept grant of real property.

H. C. R. No. 38, Requesting the United States Department of the Interior to commence immediately a study of the feasibility of requiring a large portion of the crude oil imported into this country . . . etc.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House today were read first time and referred to the committees indicated:

H. C. R. No. 20, To the Committee on State Affairs.

H. C. R. No. 15, To the Committee on State Affairs.

H. B. No. 47, To the Committee on State Affairs.

H. B. No. 45, To the Committee on Finance.

H. B. No. 44, To the Committee on Game and Fish.

H. C. R. No. 23, To the Committee on Game and Fish.

H. C. R. No. 26, To the Committee on State Affairs.

H. C. R. No. 38, To the Committee on Counties, Cities and Towns.

H. C. R. No. 17, To the Committee on State Affairs.

At Ease

The President announced at 2:42 o'clock p.m. that the Senate would stand At Ease for fifteen minutes.

In Legislative Session

The President called the Senate to order as in Legislative Session at 8:00 o'clock p.m. today.

House Concurrent Resolution 3 on Second Reading

The Senate resumed consideration of the pending business, same being

H. C. R. No. 3 on its second reading with an amendment by Senator Kazen pending.

Question—Shall the amendment by Senator Kazen to H. C. R. No. 3 be adopted

(Senator Weinert in the Chair.)

Senator Lane moved to table the amendment by Senator Kazen.

The motion to table prevailed by the following vote:

Yeas—23

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	Smith
Krueger	Willis
Lane	Wood
Lock	

Nays—8

Gonzalez	Owen
Herring	Reagan
Hudson	Secrest
Kazen	Weinert

Question recurring on the resolution it was adopted.

Record of Votes

Senators Kazen, Gonzalez, Reagan, Hardeman, Ashley, Weinert, Owen, Herring, Hudson and Hazlewood asked to be recorded as voting "Nay" on the adoption of H. C. R. No. 3.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 42, An Act creating Road District No. 1 of Waller County, Texas under the authority of Article III, Section 52, of the Constitution of Texas, for the purpose of the construction, maintenance, and operation of macadamized, graveled or paved roads

and turnpikes or in aid thereof, and declaring an emergency.

S. B. No. 28, A bill to be entitled "An Act to expedite the building program of the Texas Employment Commission by reallocating funds heretofore appropriated and by placing responsibility for its building program on the Texas Employment Commission; providing for repeal of all laws and parts of laws in conflict herewith only insofar as they do conflict; and declaring an emergency."

S. B. No. 38, A bill to be entitled "An Act clarifying purposes for which monies may be expended by the Texas Department of Public Safety; providing additional purposes for which the monies appropriated by the provisions of House Bill 133, Acts of the 55th Legislature, Regular Session, 1957, Chapter 385, may be expended by the Texas Department of Public Safety and declaring an emergency."

The House has granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 1. Parish, Ellis, Saul, Shaw, Baker.

Respectfully submitted:
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

(Senator Hardeman in the Chair.)

Reports of Standing Committees

Senator Kazen by unanimous consent submitted the following report:

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 44, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KAZEN, Chairman.

Senator Lane by unanimous consent submitted the following reports:

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R.

No. 26, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 20, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 23, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 15, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 17, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State

Affairs, to whom was referred H. B. No. 47, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 4, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the committee substitute adopted in lieu thereof do pass and be printed.

LANE, Chairman.

C. S. H. B. No. 4 was read first time.

House Bills Ordered Not Printed

On motion of Senator Lock and by unanimous consent H. B. No. 44 was ordered not printed.

On motion of Senator Owen and by unanimous consent H. B. No. 47 was ordered not printed.

On motion of Senator Aikin and by unanimous consent C. S. H. B. No. 4 was ordered not printed.

(President in the Chair.)

House Bill 45 Re-referred

On motion of Senator Fly and by unanimous consent H. B. No. 45 was withdrawn from the Committee on Finance and re-referred to the Committee on Counties, Cities and Towns.

Report of Standing Committee

Senator Owen, by unanimous consent, submitted the following report:

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 45, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

House Bill 45 Ordered Not Printed

On motion of Senator Lock and by unanimous consent H. B. No. 45 was ordered not printed.

Message from the House

Hall of the House of Representatives
Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 39, An Act amending Chapter 290, Acts of the Forty-first Legislature, Regular Session, 1929, as amended, relating to the establishment of junior colleges; and permitting the State Board of Education to waive the five thousand (5,000) scholastic enrollment for the next preceding school year in counties having a population of not less than twenty thousand (20,000) nor more than thirty thousand (30,000) inhabitants according to the last preceding Federal Census and having a taxable property evaluation of One Hundred Million Dollars (\$100,000,000) or more; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 47 on Second Reading

Senator Owen moved that Senate Rule 32, the regular order of business and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 47 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Krueger
Ashley	Lane
Bracewell	Lock
Bradshaw	Moffett
Colson	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest

Smith
Weinert

Willis
Wood

Nays—1

Martin

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 47, A bill to be entitled "An Act authorizing the State to accept title to certain lands known as Hueco Tanks in El Paso County, etc., and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 47 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 47 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

House Bill 44 on Second Reading

Senator Lock moved that Senate Rule 32, the regular order of business and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 44 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 44, A bill to be entitled

"An Act relating to hunting squirrel in Angelina and Trinity Counties, etc., and declaring an emergency."

The bill was read the second time and passed to third reading.

House Bill 44 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 44 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—31

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Message from the Governor

The following message received from the Governor today was read and was filed with the Secretary of the Senate:

To the Members of the First Called Session, 55th Legislature:

In addition to the subjects heretofore submitted for your consideration, I herewith submit the following subjects which have been represented to me to be of a local or uncontested nature and which require consideration before the next regular session:

1. Authorizing conservation districts organized pursuant to Section 59, Article XVI, of the Constitution to levy and collect a maintenance tax; to call an election; to clarify and enlarge the purposes for which bond money can be spent; to permit approval by the State Board of Water Engineers after the issuance of bonds and on a separate or individual basis on that portion of projects for which detailed plans and specifications are prepared by the Soil Conservation Service, U. S. Department of Agri-

culture; to limit this approval to bond issues of \$250,000 or less; and to validate actions of districts previously organized for these purposes.

2. Amending Article 483, Chapter 4, Revised Penal Code of the State of Texas, 1925, as amended by Acts, 1951, of the Fifty-second Legislature, and by Acts, 1957, of the Fifty-fifth Legislature, making it unlawful to carry a knife with a blade over three inches long.

3. Relating to the appointment, compensation, etc. of Official Short-hand Reporters of the Tenth, Fifty-Sixth and One Hundred Twenty-Second Judicial Districts of Texas.

4. Providing that the Counties of Hopkins, Delta, and Franklin shall be excepted in the prohibition of hunting mink with dogs.

5. Changing the name of Kerrville State Home to Kerrville State Hospital.

6. Conferring upon the Game and Fish Commission authority to regulate wildlife resources of Nolan County.

7. Providing for the Veterans Land Board to publish notices of bond sales and authorizing the Board to demand that bids be accompanied by exchange or bank cashier's check.

8. Resolutions to sue the State.

Respectfully submitted,
PRICE DANIEL
Governor of Texas

House Concurrent Resolution 26
Ordered Not Printed

On motion of Senator Reagan and by unanimous consent H. C. R. No. 26 was ordered not printed.

House Concurrent Resolution 26
on Second Reading

On motion of Senator Reagan and by unanimous consent, the President laid before the Senate the following resolution:

H. C. R. No. 26, Authorizing the Governing Board of Texas College of Arts and Industries to accept grant of real property.

The resolution was read and was adopted.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 23, A bill to be entitled "An Act applicable to any County having a population of six hundred thousand (600,000) or more according to the last preceding Federal Census; providing for the appointment of a Board of Park Commissioners; setting forth their duties and powers; providing that the Commissioners Court of any such county may transfer to said Park Board jurisdiction of any park or parks in the county; authorizing the issuance of revenue bonds to acquire, improve, equip and repair any park under the jurisdiction of the Park Board; providing for a vote of the qualified taxpaying voters for the approval of the issuance of said bonds; providing the terms and conditions for the issuance and sale of such bonds; granting the Park Board the authority to make rules and regulations concerning the operation of parks; giving the Park Board power to enter into agreements, contracts and leases of parks or facilities thereof; authorizing the Park Board to accept grants and gratuities; providing that this Act shall be cumulative; providing a severability clause and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Bill 45 on Second Reading

Senator Lock moved that Senate Rule 32, the regular order of business and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 45 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Kazen
Ashley	Krueger
Bracewell	Lane
Colson	Lock
Fuller	Martin
Gonzalez	Moffett
Hardeman	Moore
Hazlewood	Owen
Herring	Parkhouse
Hudson	Phillips

Reagan	Weinert
Secrest	Willis
Smith	Wood

Nays—5

Bradshaw	Roberts
Fly	Rogers
Ratliff	

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 45, A bill to be entitled "An Act amending Chapter 385, Acts of the 55th Legislature relating to appropriation for Rusk State Hospital, etc., and declaring an emergency."

The bill was read the second time and was passed to third reading.

House Bill 45 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 45 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—26

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Colson	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Reagan
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—5

Bradshaw	Roberts
Fly	Rogers
Ratliff	

House Bill on First Reading

The following bill received from the House was read first time and referred to the committee indicated:

H. B. No. 42, To the Committee on Counties, Cities and Towns.

Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
November 11, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 42, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

OWEN, Chairman.

House Bill 42 Ordered Not Printed

On motion of Senator Krueger and by unanimous consent H. B. No. 42 was ordered not printed.

**Vote Reconsidered on House
Concurrent Resolution 3 and
Recalled from House**

Senator Willis moved to reconsider the vote by which H. C. R. No. 3 was adopted.

The motion to reconsider prevailed.

Senator Willis submitted the following motion in writing:

The Senate having voted to reconsider the vote by which H. C. R. 3 was adopted, it hereby requests the House of Representatives to return said H. C. R. 3 for further consideration by the Senate.

WILLIS

The motion submitted in writing by Senator Willis was adopted by the Senate.

**Committee Substitute
House Bill 4 on Second Reading**

Senator Aikin moved that Senate Rule 32, the regular order of business and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 4 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Gonzalez
Ashley	Hardeman
Bracewell	Hazlewood
Bradshaw	Herring
Colson	Hudson
Fly	Kazen
Fuller	Krueger

Lane	Ratliff
Lock	Reagan
Martin	Roberts
Moffett	Rogers
Moore	Secrest
Owen	Weinert
Parkhouse	Willis
Phillips	Wood

Absent

Smith

The President then laid before the Senate on its second reading and passage to third reading the following bill:

C. S. H. B. No. 4, A bill to be entitled "An Act requiring registration of persons who represent others before State agencies, etc., and declaring an emergency."

The bill was read the second time and was passed to third reading.

Committee Substitute House Bill 4 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid C. S. H. B. No. 4 before the Senate on its third reading and final passage.

The bill was read the third time and was passed.

Record of Vote

Senator Hardeman asked to be recorded as voting "nay" on the final passage of C. S. H. B. No. 4.

House Bill 42 on Second Reading

Senator Krueger moved that Senate Rule 32, regular order of business and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 42 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Herring
Bradshaw	Hudson
Colson	Kazen
Fly	Krueger
Fuller	Lane
Gonzalez	Lock

Martin	Roberts
Moffett	Rogers
Moore	Secrest
Parkhouse	Smith
Phillips	Weinert
Ratliff	Willis
Reagan	Wood

Nays—1

Owen

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 42, A bill to be entitled "An Act creating Road District No. 1 of Waller County, etc., and declaring an emergency."

The bill was read the second time and passed to third reading.

House Bill 42 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 42 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—30

Aikin	Lock
Ashley	Martin
Bracewell	Moffett
Bradshaw	Moore
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Owen

House Concurrent Resolution 15 Ordered Not Printed

On motion of Senator Bracewell and by unanimous consent H. C. R. No. 15 was ordered not printed.

House Concurrent Resolution 15 on Second Reading

On motion of Senator Bracewell and by unanimous consent the President

dent laid before the Senate the following resolution:

H. C. R. No. 15, Memorializing Congress in the personal exemption from Federal Income Tax.

The resolution was read and was adopted.

**House Concurrent Resolution 17
Ordered Not Printed**

On motion of Senator Lane and by unanimous consent H. C. R. No. 17 was ordered not printed.

**House Concurrent Resolution 17 on
Second Reading**

On motion of Senator Lane and by unanimous consent the President laid before the Senate the following resolution:

H. C. R. No. 17, Directing Board of Control relating to bids for oil, gasoline, etc.

The resolution was read second time.

Senator Martin offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 17 by striking out the first resolving clause and substituting in lieu thereof the following:

"Resolved, by the House of Representatives of the State of Texas, the Senate concurring, That the State Board of Control be directed not to accept any bids for oil, gasoline or lubricant needs of the State of Texas from any person, firm, partnership, company or corporation which imports any crude oil or products into the United States in violation of the voluntary import reduction program of the President of the United States, or from any individual, firm, partnership, company or corporation which is owned, controlled, or affiliated by stock ownership, or otherwise, with any importer as defined herein; and be it further".

The amendment was adopted.

The resolution as amended was then adopted.

**House Concurrent Resolution 23
Ordered Not Printed**

On motion of Senator Owen and by unanimous consent H. C. R. No. 23 was ordered not printed.

**House Concurrent Resolution 23 on
Second Reading**

On motion of Senator Owen and by unanimous consent the President laid before the Senate the following resolution:

H. C. R. No. 23, Memorializing Congress relative to adoption of Senate Bill 2014 and House of Representatives Bill No. 7574.

The resolution was read and was adopted.

**House Concurrent Resolution 20
Ordered Not Printed**

On motion of Senator Moffett and by unanimous consent H. C. R. No. 20 was ordered not printed.

**House Concurrent Resolution 20 on
Second Reading**

On motion of Senator Moffett and by unanimous consent the President laid before the Senate the following resolution:

H. C. R. No. 20, Requesting Legislative Council to make a certain study.

The resolution was read second time.

Senator Moffett offered the following committee amendment to the resolution:

Amend H. C. R. No. 20 by striking out the last two paragraphs of said resolution and substituting in lieu thereof the following:

"Resolved, by the House of Representatives, the Senate concurring, That the Poultry Husbandry Department of the Texas A. and M. College is hereby requested to make a study of the inequities and trade practices described in the foregoing part of this resolution, and that said Poultry Husbandry Department of the Texas A. and M. College make suitable recommendations as to how these conditions may be remedied by legislation, and that this report be filed with the Chairman of the Committee on Agriculture of the House of Representatives and of the Senate of the regular session of the 56th Legislature; and be it further

Resolved, That the State Department of Agriculture be requested to make such recommendations as it may deem proper on this same subject to

the Chairmen of the aforementioned committees of the 56th Legislature; and be it further

Resolved, That a copy of this resolution be sent to the President of the Texas A. and M. College and to the Commissioner of Agriculture.

The committee amendment was adopted.

The resolution as amended was then adopted.

House Bill on First Reading

The following bill received from the House today was read first time

and referred to the committee indicated:

H. B. No. 39, To the Committee on State Affairs.

Adjournment

On motion of Senator Hardeman the Senate at 4:45 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

Record of Vote

Senator Aikin asked to be recorded as voting "Nay" on the motion to adjourn.

In Memory of
Leslie Cloar

Senator Fuller offered the following resolution:

(Senate Resolution 117)

Whereas, On November 3rd, 1957, Leslie Cloar was called to his Heavenly Reward in his 56th year; and

Whereas, Mr. Cloar was a native of Cleburne, Texas, and later moved to Bay City and from there to Port Arthur where he has resided for the past 26 years; and

Whereas, He was a member of the Methodist Temple, vice chairman of its board of stewards, chairman of the finance committee and a member of the Men's Bible Class. He lived an exemplary Christian life, serving his Divine Master and devoting much of his adult life to Christian service; and

Whereas, Mr. Cloar was active in civic affairs. He was the past president of the Rotary Club, a director of the First National Bank, one of the founders of the Community Home and contributed his time and efforts in Boy Scout work; and

Whereas, He was associated with Howard Smith in the Smith-May Motor Company and Border Motor Company of Orange. He was a past president of the Automobile Dealers of Port Arthur and a member of Buick Dealers Council of Texas; and

Whereas, Mr. Cloar was survived by his wife, Mrs. Viola Jones Cloar, and two daughters, Viola Jane and Ida May Cloar; and a son, Howard Smith Cloar, all of Port Arthur; two brothers, Roy E. Cloar of Port Arthur and Tom Cloar of New Orleans, Louisiana; four sisters, Mrs. Carl Bachman and Miss Eura Cloar of Bay City, Mrs. J. D. Thurston of Berkeley, California, and Mrs. R. A. Bassett of Richmond, Texas; an aunt, Mrs. J. S. Stokes of Garland, Texas; now, therefore, be it

Resolved, That the Senate of the State of Texas pays tribute to the outstanding life of Leslie Cloar; and be it further

Resolved, That the Senate adjourn this day in memory of Leslie Cloar; that a page in the Senate Journal be set aside in respect to him; and that a copy of this resolution be sent to the members of his family with our sincere sympathy.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of

Frank Russell

Senator Hudson offered the following resolution:

(Senate Resolution 119)

Whereas, Cameron County and the State of Texas lost a distinguished citizen in the death of Frank Russell of Russelltown; and

Whereas, Mr. Russell was a native of Alexandria City, Alabama, having been from a family prominent in Alabama political and civic circles; and

Whereas, Mr. Russell moved to the Lower Rio Grande Valley of Texas twenty years ago and founded the town of Russelltown where he owned extensive holdings there and in Oklahoma City; he developed the North End Oil Field in Oklahoma in 1929; he, also, has to his credit the invention of the Russell fishing basket used in pulling drill bits out of oil wells; and

Whereas, Mr. Russell was very active in the business and civic life of Cameron County, having been a member of the San Benito Elks Lodge and other organizations in that area; and

Whereas, He is survived by his wife, Mrs. Martha Russell; four sons, Robert T. Russell and Frank Russell, Jr. of Los Angeles, California; Charles W. Russell of San Benito; and James Russell of Boston, Massachusetts; one daughter, Martha Russell of Russelltown; one brother, H. M. Russell of Houston; and one sister, Mrs. A. W. Fendley of Oklahoma City; now, therefore, be it

Resolved, That the Texas Senate of the Fifty-fifth Legislature, in its First Called Session, adjourns this day in memory of Mr. Frank Russell; that a page in the Senate Journal be set aside in respect of him; and that a copy of this resolution be sent to the members of his family with our deepest sympathy.

The resolution was read and was adopted by a rising vote of the Senate.

In Memory of
Mrs. Eva Hodnett Fuller

Senator Colson offered the following resolution:

(Senate Resolution 120)

Whereas, On September 12, 1957, our Heavenly Father in His infinite wisdom called from her earthly labors to her eternal reward, Mrs. Eva Hodnett Fuller of Troup, Texas; and

Whereas, Although Mrs. Fuller was the stepmother of our beloved colleague, the Honorable Jep S. Fuller and his sisters and brothers, she endeared herself to them, particularly to the three youngest, including Senator Fuller, whom she reared from early childhood; and

Whereas, She was born on June 8, 1883 in the State of Georgia, and came to Troup with her family when she was an infant; and

Whereas, Mrs. Fuller is survived by three stepdaughters and three stepsons, Mrs. Belle Fuller Huff, Mrs. Bena Fuller Dunlap, Mrs. Martha Hester Fuller Mims, Senator Jep S. Fuller, Mr. Richard S. Fuller, and Mr. Charles H. Fuller, Jr.; one sister, Mrs. James Melton; eleven grandchildren and nine great-grandchildren; and

Whereas, She was a member of the Methodist Church and observed in her daily living the highest principles of Christianity and Methodism; and

Whereas, Mrs. Fuller was a devoted Mother and the faithful wife of Charles H. Fuller, Sr., who preceded her in death in the year 1956; and

Whereas, Her entire life was exemplary of the courage, wisdom and faith which shows itself in a creative service to others; and

Whereas, The influence of her fruitful and constructive life will forever be felt by those who were privileged to know her; and

Whereas, The Senate of Texas desires to recognize and pay tribute to this fine citizen, Mrs. Eva Hodnett Fuller and express sympathy to her family; now, therefore, be it

Resolved, by the Senate of the 55th Legislature of the State of Texas, That a page in the Journal be dedicated as a memorial to Mrs. Fuller and that official copies of this resolution be sent to the members of her family; and, be it further

Resolved, That when the Senate adjourns today, it do so in tribute to the memory of Mrs. Eva Hodnett Fuller.

COLSON

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Bradshaw, Fly, Fuller, Gonzalez, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.